

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA
PHILADELPHIA DIVISION**

In Re: BARBARA FISHER Debtor(s) U.S. BANK TRUST NATIONAL ASSOCIATION, NOT IN ITS INDIVIDUAL CAPACITY, BUT SOLELY AS TRUSTEE OF LSF9 MASTER PARTICIPATION TRUST Movant v. BARBARA FISHER Debtor(s) KENNETH E. WEST Trustee Respondent(s)	Chapter 13 Case Number: 21-13261-mdc
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MOVANT'S FIRST SET OF REQUESTS FOR ADMISSIONS

Pursuant to F.R.B.P. 7036 and F.R.C.P. 36, Movant, U.S. Bank Trust National Association, Not In Its Individual Capacity, But Solely As Trustee Of LSF9 Master Participation Trust, by and through its undersigned counsel, hereby demands that Debtor, Barbara Fisher, respond to the following Requests for Admissions within 30 days of service of this request.

1. As of July 19, 2022, your¹ mortgage² is currently post-petition due for the May 1, 2022, monthly mortgage payment.
2. You do not have at least \$6,530.90 in escrow that could be immediately remitted to Creditor to bring the loan post-petition current.
3. You have not remitted any payments to Creditor³ since June 29, 2022.
4. Since the filing of this bankruptcy action, you have only remitted, and Creditor has only confirmed receipt of three payments as follows: 2/9/2022 in the amount of \$2,612.32, 3/3/2022 in the amount of \$2,612.32, 6/29/2022 in the amount \$1,306.16.
5. As a result of your failure to remit payments to Creditor, Creditor is not adequately protected in this bankruptcy action and is therefore entitled to relief from the automatic stay pursuant to 11 U.S.C. §362 *et seq.*

¹ Any reference You, Your, and/or Debtor refers to the Debtor of this Bankruptcy action, Barbara Fisher.

² Any reference to the mortgage, and/or loan refers to the mortgage currently held by U.S. Bank Trust National Association, Not In Its Individual Capacity, But Solely As Trustee Of LSF9 Master Participation Trust, secured by real property commonly referred to as 2829 Colmar Ave., Bensalem, PA 19020.

³ Any reference to Movant and/or Creditor refers to U.S. Bank Trust National Association, Not In Its Individual Capacity, But Solely As Trustee Of LSF9 Master Participation Trust.

6. You estimated the property⁴ has a current market value of \$275,000.00.
7. Creditor's total claim as identified on their proof of claim is \$290,968.38.
8. There is no equity in the Property.
9. The Property is not necessary for an effective reorganization.

STERN & EISENBERG, PC

By: /s/ Daniel P. Jones

Daniel P. Jones

1581 Main Street, Suite 200

The Shops at Valley Square

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Bar Number: 321876

Email: djones@sterneisenberg.com

Date: October 7, 2022

⁴ Any reference to the Property refers to real property commonly referred to as 2829 Colmar Ave., Bensalem, PA 19020.

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MOVANT'S FIRST SET OF REQUESTS FOR PRODUCTION OF DOCUMENTS

Pursuant to F.R.B.P. 7034, Movant, U.S. Bank Trust National Association, Not In Its Individual Capacity, But Solely As Trustee Of LSF9 Master Participation Trust, by and through its undersigned counsel, hereby demands that Debtor, Barbara Fisher, respond to the following Requests for Production of Documents within 30 days of service of this request. Documents may be produced by electronic or regular mail to the undersigned counsel for Movant.

1. Provide copies of your¹ bank statements showing a transaction history of deposits and payments for any bank account you use to remit payments to Creditor² from January 2022 through October 2022.
2. Provide all confirmation numbers and/or receipts you have received from Creditor for remitting any payment from January 2022 through October 2022.

¹ Any reference You, Your, and/or Debtor refers to the Debtor of this Bankruptcy action, Barbara Fisher.

² Any reference to Movant and/or Creditor refers to U.S. Bank Trust National Association, Not In Its Individual Capacity, But Solely As Trustee Of LSF9 Master Participation Trust.

3. Provide copies of all communications between you and Movant from January 2022 through October 2022.

STERN & EISENBERG, PC

By: /s/ Daniel P. Jones

Daniel P. Jones

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CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and correct copy of the within discovery requests, were sent to the Debtor's Counsel via first class mail and/or ECF on the date set forth below.

JONATHAN H. STANWOOD
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Attorney for Debtor

Stern & Eisenberg, PC

By: /s/ Daniel P. Jones

Daniel P. Jones

Bar Number: 321876

Email: djones@sterneisenberg.com

Date: October 7, 2022